

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CHAMBERS OF
ESTHER SALAS
UNITED STATES DISTRICT JUDGE

MARTIN LUTHER KING
COURTHOUSE
50 WALNUT ST.
ROOM 2037
NEWARK, NJ 07101
973-297-4887

April 22, 2020

LETTER ORDER

Re: *Application by Receivers Hugh Dickson and John Royle for an ex parte Order Pursuant to 28 U.S.C. § 1782 for Discovery in Aid of Foreign Proceedings*

Civil Action No. 20-0940 (ES)(MAH)

Dear counsel:

On January 28, 2020, movants Hugh Dickson and John Royle (“Movants”), through their attorneys at Zeichner Ellman & Krause LLP, filed an application for an *ex parte* Order pursuant to 28 U.S.C. § 1782 for discovery in aid of foreign proceedings. (D.E. No. 1). Specifically, Movants are court-appointed receivers of the sole share of the Cayman Islands based company Britannia Holdings (2006) Limited. (D.E. No. 1-2 at 1). Movants now seek evidence from Michael Jacob, a former director and officer of an affiliated entity, for use in connection with an ongoing litigation in the Cayman Island. (*Id.*).

On March 10, 2020, the Honorable Michael A. Hammer, U.S.M.J., issued a Report and Recommendation, recommending that the Court grant Movants’ application. (D.E. No. 4 (“R&R”)). Magistrate Judge Hammer provided the parties fourteen days to file and serve objections to the R&R pursuant to 28 U.S.C. § 636 and Local Civil Rule 72.1(c)(2). (*Id.* at 10). The parties did not file any objections.

Having reviewed the parties’ submissions and Magistrate Judge Hammer’s R&R, and for the reasons stated therein,

IT IS on this 22nd day of April 2020,

ORDERED that this Court ADOPTS Magistrate Judge Hammer’s R&R in full; and it is

further

ORDERED that Movants’ application for judicial assistance pursuant to 28 U.S.C. § 1782 is GRANTED; and it is further

ORDERED that William T. Marshall, Jr. Esq. of Zeichner Ellman & Krause LLP is APPOINTED Commissioner of the Court with the power to issue a subpoena to Michael Jacob to provide deposition testimony and to produce documents within his possession, custody, or control concerning the topics listed in Exhibit A attached hereto; and it is further

ORDERED that Movants is allowed to file additional *ex parte* request for judicial assistance with this Court for deposition testimony or documents requests, related to the foreign proceeding pending in the Grand Court of the Cayman Islands, captioned *Lea Lilly Perry and Tamar Perry v. Lopag Trust Reg. Private Equity Services (Curacao) NV, Fiduciana Verwaltungsanstalt, Gal Greenspoon Perry, Yael Perry, Dan Greenspoon, Ron Greenspoon and Mia Greenspoon*, that is the subject of this application, without initiating a new proceeding pursuant to 28 U.S.C. § 1782; and it is further

ORDERED that the Clerk of Court shall TERMINATE docket entry numbers 1 and 4.

s/Esther Salas
Esther Salas, U.S.D.J.